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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 LUIS VEGA,

No. CIV S-03-2433 MCE KJM P

12 Plaintiff,

13 v.

ORDER

14 E. ALAMEIDA, ET AL.,

15 Defendants.
16 _____/

17 Plaintiff, a state prison inmate proceeding pro se, has
18 filed this civil rights action seeking relief under 42 U.S.C.
19 § 1983. The matter was referred to a United States Magistrate
20 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General
21 Order No. 262.

22 On June 21, 2005, the magistrate judge filed findings and
23 recommendations herein which were served on all parties and which
24 contained notice to all parties that any objections to the
25 findings and recommendations were to be filed within twenty days.

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1 On July 8, 2005, defendant was granted until July 21, 2005 to
2 file objections. Neither party has filed objections to the
3 findings and recommendations.

4 The court has reviewed the file and finds the findings and
5 recommendations to be supported by the record and by the
6 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED
7 that:

8 1. The findings and recommendations filed June 21, 2005 are
9 adopted in full; and

10 2. Defendant's September 28, 2004 motion to dismiss is
11 denied.

12 DATED: August 18, 2005

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15 MORRISON C. ENGLAND, JR.
16 UNITED STATES DISTRICT JUDGE
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